

REMARKS

This Amendment is responsive to the Office Action identified above, and is responsive in any other manner indicated below.

TRAVERSAL OF OFFICIAL NOTICE - OBSOLETE

Applicant's prior official notice allegation has now been rendered obsolete, as the §103 rejection at item 5 spanning pages 5 and 6 of the 23 December 2002 Office Action has been withdrawn.

SUBMISSION OF CORRECTED REPLACEMENT FORMAL DRAWINGS

Attached hereto is a complete set of twenty (20) sheets of REPLACEMENT FORMAL Figures 1, 2, 3A-3F, 4A-4I, 5, 6A-6C, 7A, 7B, 8, 9, 10H-10M, 11-13, 14H-14N, 15H, 15O, 15P, 16Z-16H, 17H-K, 17X, 17Y, 18Q-18T, 19Q, 19U, 20, 21A-21L and 22A-22C, including the corrections proposed to Figures 4F and 16F in Applicant's Amendment filed 24 March 2003. Such proposed corrections are approved and required in the final Office Action.

Applicant respectfully requests entry and printing of the attached drawings in any patent issuing on the present application.

PENDING CLAIMS

Claims 1-21 were pending in the application at the time of the final Office Action. Unrelated to any art rejection, appropriate Claims have been amended, added or deleted in order to adjust a clarity and/or focus of Applicant's claimed

invention. That is, the amendments to the claims are unrelated to any prior art or scope adjustment, and are simply clarified claims in which Applicant is presently interested. At entry of this paper, Claims 1-8 and 11-21 remain pending in the application for further consideration and examination.

Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently cancelled, or to any/all limitations/features not yet claimed, *i.e.*, Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

CLAIM OBJECTIONS OBVIATED VIA CLAIM AMENDMENT

Ones of Applicant's claims were objected to because of the final Office Action concerns listed within Items 5-9 spanning pages 2-5 of the final Office Action. As amendments have been made where appropriate in order to address each of the final Office Action listed concerns, reconsideration and withdrawal of the claim objection are respectfully requested.

REWRITTEN ALLOWABLE CLAIMS

Claims 1-8 and 11-21 were indicated as being allowable if rewritten as indicated within Item 11 on page 6 of the final Office Action, and at least appropriate base ones of such claims have been so rewritten. Further, ones of such claims have been minorly amended where appropriate (*e.g.*, to improve clarity, correct

antecedents, remove extraneous portions) within this paper in a manner believed not to affect an allowability thereof.

Renewal of the allowance of Claims 1-8 and 11-21 is respectfully requested. Applicant and the undersigned respectfully thank the Examiner for such indication of allowable subject matter.

REJECTIONS UNDER 35 USC §103 (CLAIMS CANCELLED)

The 35 USC §103 rejection of Claims 9 and 10 as being unpatentable over Onishi *et al.* (JP 3-154784) is respectfully traversed. However, the present cancellation of such claims (without prejudice or disclaimer of any scope or subject matter) to obtain a patent (without prejudice or disclaimer) on ones of the allowable claims as quickly as possible, has rendered such rejection obsolete, and thus gratuitous traversal arguments concerning the rejection are omitted for brevity. Further discussions/arguments concerning such rejection are left for the future if/when appropriate. Based upon the following, reconsideration and withdrawal of such rejection are respectfully requested.

The above statements, or the present cancellation of Claims 9 and 10 (without prejudice or disclaimer of any scope or subject matter), should not be taken as an indication or admission that the rejection was valid, or as a disclaimer of any scope or subject matter, but is merely use of a procedural approach to obtain a patent (without prejudice or disclaimer) on ones of the allowable claims as quickly as possible.

ALL CLAIMS IN CONDITION FOR ALLOWANCE

In view of the fact that all prior art rejected claims have now been cancelled without prejudice or disclaimer of any scope or subject matter, and in view of the fact that all remaining claims appear allowable due to rewriting to address objections, it is respectfully submitted that all presently pending claims are now in condition for allowance. A Notice of Allowance with respect to the present application is respectfully requested.

EXAMINER INVITED TO TELEPHONE

The Examiner is invited to telephone the undersigned at the local D.C. area number 703-312-6600, to discuss an Examiner's Amendment or other suggested action for accelerating prosecution and moving the present application to allowance.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the application are in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

Submitted concurrently herewith is a Petition for an appropriate extension of the shortened statutory period for response set by the final Office Action mailed 16 June 2003. To whatever other extent is actually appropriate, Applicant respectfully petitions the Commissioner for an extension of time under 37 CFR §1.136. Also submitted concurrently herewith is a Form PTO-2038 authorizing

SUGAYA *et al.*, SN 10/078,397
Reply to final OA mailed 06/16/03
Amdt After Final Rej filed 10/16/03

DKt. No. 520.41238X00/NT0585US
Page 15

payment of the requisite Petition fee. Please charge any shortage in the fees due in connection with the filing of this paper, including Petition and claims fees, to ATS&K Deposit Account No. 01-2135 (referencing Case No. 520.41238X00).

Respectfully submitted,



Paul J. Skwierawski
Registration No. 32,173
ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 North Seventeenth Street, Suite 1800
Arlington, Virginia 22209-3801, USA
Telephone 703-312-6600
Facsimile 703-312-6666

ATTACHMENTS:

Twenty (20) Sheets of corrected
REPLACEMENT FORMAL
Drawings for Figs. 1-22C

CONCURRENT SUBMISSIONS:

Petition for Extension of Time
Form PTO-2038 (Fee Code 1251)